IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

MIDWESTERN GAS]
TRANSMISSION COMPANY]
a Delaware corporation	į
Plaintiff,]
Vs.	Civil Case No: 13-CV-02165
1,130.867 ACRES, more or less, in Will]
County, Illinois; EXXONMOBIL OIL	Hon. Harry D. Leinenweber
CORPORATION; and Unknown Owners]
	Magistrate Hon. Geraldine Soat Brown
Defendants.]

AGREED JOINT MOTION FOR: ENTRY OF DISMISSAL ORDER PURSUANT TO SETTLEMENT

NOW COMES the Plaintiff, MIDWEST GAS TRANSMISSION COMPANY, and Defendant, EXXONMOBIL OIL CORPORATION, by and through their respective attorneys, and pursuant to Fed.R.Civ.P. 41(a)(2), jointly move for entry of an agreed order of dismissal pursuant to settlement agreement, viz:

- 1. Subject to approval by the State of Illinois, the parties have reached a settlement of this cause;
- 2. This condemnation action relates to the relocation of a natural gas pipeline necessitated by a highway expansion project commissioned by the Illinois Department of Transportation (IDOT);
- 3. An agreed Order for Immediate Possession was entered in this action on June 13, 2013 (Docket #14), and in compliance therewith a permanent pipeline easement was executed by ExxonMobil in favor of Midwest Gas Transmission (Docket #15), leaving only the issue of compensation remaining;
- 4. As set forth in attached Exhibit A, ExxonMobil and IDOT have reached a tentative agreement which would resolve all pending matters, including the case at bar;
- 5. However, IDOT needs to reappraise the property in order to obtain official approval, which approval is anticipated by February 19, 2015;

6. Based upon the foregoing, the parties jointly move to dismiss this matter, subject to a motion to vacate within 90 days hereof;

WHEREFORE, Plaintiff, MIDWEST GAS TRANSMISSION COMPANY and Defendant, EXXONMOBIL OIL CORPORATION, requests that this Honorable Court enter the attached ORDER OF DISMISSAL, and conditions, and for any and all such other relief this Court finds to be just, necessary, or proper.

MIDWEST GAS TRANSMISSION COMPANY

By:/s/ Jennifer A. Kenedy

Jennifer A. Kenedy
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EXXONMOBIL OIL CORPORATION

By: /s/ Frank P. Andreano

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EXHIBIT A

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RAYMOND E. MEADER

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October 28, 2014

Mr. Frank Andreano Brumund, Jacobs, Hammel, Davidson & Andreano, LLC 58 East Clinton Street, Suite 200 Joliet, Illinois 60432

Re:

IDOT v. Exxon Mobil; North and South Parcels

Route:

FAI Route 55 at Arsenal Road

County:

Will

Job No.:

R-91-014-02

Parcel:

1GQ0001 & TE-A & 1GQ0003-A&B, TE-A, B & C

MGT vs. Exxon Mobil Case 13-CV-2165

Dear Mr. Andreano:

While negotiations between the Illinois Department of Transportation and Exxon have been complex, IDOT and Exxon have reached a "global settlement" of the two pending IDOT cases and the Exxon/MTG Pipeline case in Federal Court for which IDOT ultimately is responsible to MTG for reimbursement. These were inter-related because of valuation methodology utilized and consolidation issues proposed by Exxon. As a result, IDOT needs to procure additional updated appraisal reports which reflect the final valuations and the allocation of the overall settlement. Although the total amount is determined, IDOT must inform me how to allocate the funds between the cases. I have engaged an appraiser to prepare additional written valuation information necessary for IDOT and the Attorney General to issue the final written authorization. IDOT will also need some further updated valuation information from Exxon on its updated draft appraisal on the Interchange Parcel. IDOT was only given an unsigned "draft appraisal" which was being updated with new valuation information during our negotiations. The appraisal needs to be finalized and signed. The IDOT appraiser I retained has indicated that it will take about 90-120 days to complete the full appraisal process because of the magnitude and complexity of the properties involved. I expect about another 45 to 60 days for final written approval. This process takes time because of the required protocol of IDOT and the Attorney General on all settlements involving Federal funds. IDOT and Exxon are in Court on February 19, 2015 for status on the settlement approval. I should have all the documentation by that time.

Once approved in writing by IDOT and the Attorney General, the agreed final judgment orders can be entered which I anticipate will be in Spring of 2015 along with the dismissal of the Federal case. I am confident that this global settlement will receive final approval but unfortunately the process takes a significant amount of time to effectuate.

Yours very truly,

Raymond E. Meader

Special Assistant Attorney General

REM:cdp